

## Message Text

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INFO OCT-01 NEA-10 ISO-00 EURE-00 AID-05 CEA-01 CIAE-00

COME-00 EB-07 FRB-03 INR-07 NSAE-00 CIEP-01 SP-02

STR-04 TRSE-00 LAB-04 SIL-01 SAM-01 OMB-01 SS-15

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INFO ALL EC CAPITALS 1529

AMEMBASSY ALGIERS

AMEMBASSY RABAT PRIORITY

AMEMBASSY TUNIS PRIORITY

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E.O. 11652: N/A

TAGS: ETRD, EGEN, EEC, XI

SUBJECT: EC MEDITERRANEAN POLICY: TUNISIA AND MOROCCO CONCLUDE  
COOPERATION AGREEMENTS WITH THE EC

REF: EC BRUSSELS 166, EC BRUSSELS 238, TUNIS 145, ROME 300,  
RABAT 165

1. BEGIN SUMMARY. AFTER TWO AND ONE-HALF YEARS OF DIFFICULT  
NEGOTIATIONS THE EC HAS CONCLUDED NEGOTIATIONS ESTABLISHING  
COOPERATION AGREEMENTS WITH MOROCCO AND TUNISIA. THE AGREEMENTS  
(IDENTICAL FOR BOTH COUNTRIES EXCEPT ON CERTAIN AGRICULTURAL  
CONCESSIONS AND IN AMOUNTS OF FINANCIAL AID) COVER PREFERENTIAL  
TRADE ARRANGEMENTS FOR AGRICULTURAL AND INDUSTRIAL PRODUCTS  
EXPORTED TO THE EC, ECONOMIC AND FINANCIAL COOPERATION, MANPOWER  
POLICY AND NON-DISCRIMINATION PROVISIONS, AND AN EXCHANGE OF  
LETTERS CONCERNING THE ARAB BOYCOTT. THESE NEW AGREEMENTS ARE  
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UNLIMITED IN DURATION AND CONTAIN NO IMMEDIATE REVERSE PREFERENCES.

THE AGREEMENTS DO PROVIDE, HOWEVER, FOR PERIODIC REVIEWS, IN 1978 AND 1983, PERMITTING EVOLUTION (THROUGH FURTHER NEGOTIATIONS) TOWARD MUTUAL TRADE RECIPROCITY. THE ACCORDS, CONCLUDED ON AN AD REFERENDUM BASIS, ARE TO BE PRESENTED TO THE EC COUNCIL OF FOREIGN MINISTERS ON JAN 19-20. THE COUNCIL IS EXPECTED TO APPROVE THE RESULTS OF THE NEGOTIATIONS, SOME GRUMBLING WILL BE HEARD IN AREAS WHERE THE COMMISSION HAS EXCEEDED ITS ORIGINAL MANDATES, ESPECIALLY ON EC AGRICULTURAL CONCESSIONS. THERE FOLLOWS A SUMMARY OF THE TEXT OF THE MOROCCAN AGREEMENT. TEXTS ARE BEING POUCHED TO THE DEPARTMENT, EUR/RPE-CASEY AND TO MAGHREB POSTS. END SUMMARY.

2. OBJECTIVES OF THE AGREEMENT (ARTICLE 1) ARE "TO PROMOTE OVERALL COOPERATION" BETWEEN THE SIGNATORIES WITH A VIEW TO CONTRIBUTING TO THE ECONOMIC AND SOCIAL DEVELOPMENT OF MOROCCO (TUNISIA) AND HELPING TO STRENGTHEN RELATIONS BY MEANS OF PROVISIONS AND ACTION IN THE FIELDS OF ECONOMIC, FINANCIAL AND TECHNICAL COOPERATION, AND IN THE TRADE AND SOCIAL FIELDS." THESE OBJECTIVES ARE TO BE ACCOMPLISHED TAKING INTO ACCOUNT MOROCCO'S (TUNISIA'S) DEVELOPMENT PLANS AND PRIORITIES AND THE IMPORTANCE OF PROMOTING "REGIONAL COOPERATION BETWEEN MOROCCO (TUNISIA) AND OTHER STATES." COOPERATION UNDER THE ACCORD IS DEFINED TO INCLUDE EC PARTICIPATION IN MOROCCAN (TUNISIAN) EFFORTS TO DEVELOP AND DIVERSIFY ITS PRODUCTION AND ECONOMIC INFRASTRUCTURE, WITH PARTICULAR EMPHASIS ON INDUSTRIALIZATION AND MODERNIZATION OF AGRICULTURE; MARKETING AND SALES PROMOTION OF MOROCCAN EXPORTS; INDUSTRIAL COOPERATION (INCLUDING ELIMINATION OF NON-TARIFF AND NON-QUOTA BARRIERS "LIKELY TO IMPEDE ACCESS TO EITHER MARKET"); COOPERATION IN FIELDS OF SCIENCE, TECHNOLOGY AND COOPERATION IN FIELDS OF SCIENCE, TECHNOLOGY AND PROTECTION OF THE ENVIRONMENT, AND IN THE FISHERIES SECTOR; ENCOURAGEMENT OF PRIVATE INVESTMENT, AS WELL AS ANY OTHER AREAS OF COOPERATION THE SIGNATORIES MAY DETERMINE. THE TUNISIAN AGREEMENT ALSO CONTAINS PROVISION FOR COOPERATION IN ENERGY TO PROMOTE "...PARTICIPATION BY COMMUNITY FIRMS IN PROGRAMS FOR THE EXPLORATION, PRODUCTION AND PROCESSING OF TUNISIA'S ENERGY RESOURCES AND ANY ACTIVITIES WHICH WOULD DEVELOP THESE RESOURCES ON THE SPOT, AS WELL AS THE PROPER EXECUTION OF LONG-TERM DELIVERY CONTRACTS FOR OIL, NATURAL GAS AND REFINED PETROLEUM PRODUCTS".

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3. TRADE REGIME: (TITLE II, ARTICLES 8-38) THE AGREEMENT PROVIDES FOR EC TARIFF CONCESSIONS ON IMPORTS OF MOROCCAN (TUNISIAN) INDUSTRIAL--AND TO A LESSER EXTENT AGRICULTURAL--GOODS. IT CONTAINS NO DIRECT MOROCCAN (TUNISIAN) COMMITMENT TO GIVE PREFERENTIAL TARIFF CONCESSIONS TO THE EC AT THIS TIME. THE OBJECTIVE UNDER THE TRADE CHAPTER IS "TO PROMOTE TRADE BETWEEN THE CONTRACTING PARTIES, TAKING ACCOUNT OF THEIR RESPECTIVE LEVELS OF DEVELOPMENT AND THE NECESSITY TO ASSURE A BETTER EQUILIBRIUM IN THEIR TRADE RELATIONS

WITH A VIEW TO ACCELERATING THE GROWTH OF MOROCCAN (TUNISIAN) TRADE AND IMPROVING THE CONDITIONS OF ACCESS FOR ITS PRODUCTS IN THE COMMUNITY" (ARTICLE8). FURTHER, ARTICLE 12 STATES THAT MOROCCO (TUNISIA) "SUBJECT TO SPECIAL PROVISIONS RELATING TO FRONTIER ZONE TRADE,...SHALL GRANT TO THE COMMUNITY TREATMENT IN THE FIELD OF TRADE NO LESS FAVORABLE THAN THE MOST-FAVORED-NATION TREATMENT." MOROCCO (TUNISIA) MAY DEROGATE FROM MFN IN FAVOR OF (A) ECONOMIC INTEGRATION OF THE MAGHREB, OR (B) OTHER DEVELOPING COUNTRIES.

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4. ALTHOUGH THE TRADE REGIME UNDER THE ACCORD DOES NOT REQUIRE RECIPROCITY FROM THE MAGHREB COUNTRIES IMMEDIATELY, ARTICLE 53 OF THE AGREEMENT PROVIDES FOR PERIODIC REEXAMINATIONS, IN 1978 AND 1983. IN THIS CONNECTION ARTICLE 27 DIRECTS THAT " ON THE OCCASION OF THE EXAMINATIONS PROVIDED FOR IN ARTICLE 53 OF THE AGREEMENT, THE CONTRACTING PARTIES SHALL SEEK OPPORTUNITIES FOR MOROCCO (TUNISIA) TO MAKE PROGRESS

TOWARDS THE REMOVAL OF OBSTACLES TO TRADE, HAVING REGARD HOWEVER TO ITS ESSENTIAL DEVELOPMENT REQUIREMENTS." IN THIS PRESS CONFERENCE OF JANUARY 12 ANNOUNCING CONCLUSION OF THE TUNISIAN AND MOROCCAN ACCORDS, EC COMMISSIONER CHEYSSON NOTED THAT THE ULTIMATE AIM OF THE AGREEMENTS IS THE "FREE MOVEMENT OF GOODS IN BOTH DIRECTIONS".

5. INDUSTRIAL PRODUCTS (ARTICLES 11-13): DUTY-FREE LIMITED OFFICIAL USE

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ENTRY INTO THE EC WITHOUT QUANTITATIVE CEILINGS FOR ALL INDUSTRIAL PRODUCTS, EXCEPT MANUFACTURED CORK PRODUCTS (DUTY-FREE QUOTA OF 2,650 TONS FOR MOROCCO AND 900 TONS FOR TUNISIA, WITH 3 PERCENT GROWTH FACTOR, CEILING TO BE ABOLISHED DECEMBER 31, 1979) AND REFINED PETROLEUM PRODUCTS (DUTY-FREE QUOTA OF 175,000 TONS EACH FOR MOROCCO AND TUNISIA, 5 PERCENT GROWTH FACTOR, CEILING TO BE ABOLISHED DECEMBER 31, 1979).

6. AGRICULTURAL PRODUCTS: (ARTICLES 14-22): THERE ARE VARIOUS TARIFF CUTS COVERING A WIDE VARIETY OF FRESH AND PROCESSED AGRICULTURAL PRODUCTS FROM MOROCCO (TUNISIA'S LIST SLIGHTLY DIFFERENT). FOR CITRUS NO NEW CONCESSIONS BEYOND THOSE REPORTED EARLIER (I.E., 80 PERCENT PREFERENCE FOR CERTAIN FRESH CITRUS, (BTN 08.02), 70 PERCENT REDUCTION ON CERTAIN CITRUS JUICES (BTN 20.07). TABLE GRAPES (BTN 08.04) RECEIVE A 60 PERCENT REDUCTION (FOR THE PERIOD 15 NOVEMBER -30 APRIL). CANNED FRUIT (BTN 20.06) WITH SUGAR ADDED--80 PERCENT REDUCTION FOR GRAPEFRUIT SEGMENTS, MANDARINS, ORANGES AND LEMONS; CANNED APRICOTS WILL RECEIVE A 20 PERCENT REDUCTION. THERE ARE CONCESSIONS RANGING FROM 40 PERCENT-80 PERCENT ON THESE CANNED FRUITS NOT CONTAINING ADDED SUGAR. CANNED FRUIT SALAD (WITH OR WITHOUT ADDED SUGAR) RECEIVES A 55 PERCENT CONCESSION.

7. CONCESSIONS FOR WINE AND OLIVE OIL WERE NOT SETTLED UNTIL THE VERY END OF NEGOTIATIONS. QUALITY WINES (BTN EX 22.05) FROM MOROCCO AND TUNISIA WILL EACH BENEFIT FROM AN ANNUAL DUTY-FREE QUOTA OF 50,000 HECTOLITRES. OTHER WINES FROM FRESH GRAPES (BTN EX 22.05) WILL RECEIVE AN 80 PERCENT REDUCTION PROVIDED THE EC REFERENCE PRICE IS RESPECTED. FOR OLIVE OIL THERE IS REDUCTION IN THE EC IMPORT LEVY OF UP TO 20.05 UNITS OF ACCOUNT (UA) PER 100 KG., PROVIDED THE EC REFERENCE PRICE IS RESPECTED. (THIS CONCESSION IS MADE UP OF A .5 UA PER 100 KG. " COMMERCIAL ADVANTAGE", A GUARANTEED 10 UA PER 100 KG. " COMMERCIAL AD-

VANTAGE", A GUARANTEED 10 UA PER 100 KG. LEVY REDUCTION,  
WITH A FURTHER 10 UA PER 100 KG. REDUCTION POSSIBLE  
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" IF MARKET CONDITIONS PERMIT"). HARD WHEAT FROM  
MOROCCO WILL RECEIVE A REDUCTION IN THE EC LEVY OF  
0.5 UA PER METRIC TON.

8. A FULL SCHEDULE OF THE INDUSTRIAL AND AGRICULTURAL  
PRODUCT CONCESSIONS IS CONTAINED IN THE TEXT OF THE AGREEMENTS  
BEING POUCHED.

9. CUMULATIVE RULES OF ORIGIN: FOR PURPOSES OF DEFINING RULES OF  
ORIGIN ON PRODUCTS IMPORTED INTO THE EC UNDER THESE PREFERENTIAL  
AGREEMENTS THE MAGHREB COUNTRIES ARE PERMITTED TO APPLY AN ACCUMU-  
LATED VALUE-ADDED RULE ON PRODUCTS ORIGINATING IN ANY OTHER  
MAGHREB COUNTRY.

10 FINANCIAL COOPERATION: THE FINANCIAL PROTOCOL CONTAINED IN  
THE MOROCCAN AGREEMENT PROVIDES FOR 130 MILLION UA IN GRANTS  
AND LOANS OVER FIVE YEARS. 56 MILLION UA WILL BE PROVIDED BY THE  
EUROPEAN INVESTMENT BANK AND 74 MILLION UA WILL COME FROM THE EC  
IN THE FORM OF SPECIAL LOANS (58 MILLION UA WITH A 40-YEAR  
TERM A 1 PERCENT INTEREST RATE) AND GRANTS (16 MILLION UA). (FOR  
TUNISIA THE AMOUNTS ARE 41 MILLION UA, 39 MILLION UA AND 15 MILLION  
UA , RESPECTIVELY). THESE FUNDS ARE PROVIDED FOR FINANCING OR  
PARTICIPATING IN THE FINANCING OF INVESTMENTS IN MOROCCO (TUNISIA)  
CONSISTENT WITH THE OBJECTIVES OUTLINED ABOVE (PARA 2). CO-FINANCING  
IS TO BE ENCOURAGED, PARTICULARLY TRIANGULAR FINANCING WITH OPEC  
PARTICIPATION.

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11. MANPOWER: THE AGREEMENTS PROVIDE FOR NON-DISCRIMINATION BETWEEN MOROCCAN (TUNISIAN) AND EC EMPLOYEES IN TERMS OF SOCIAL SECURITY ARRANGEMENTS. MOROCCAN (TUNISIAN) WORKERS WILL HAVE A CUMULATIVE RIGHT TO INSURANCE BENEFITS BASED ON PERIODS WORKED IN DIFFERENT EC MEMBER STATES AS REGARDS PENSIONS, ETC. THESE PAYMENTS WILL BE TRANSFERABLE FROM THE EC TO THEIR COUNTRY OF ORIGIN. PAYMENT OF FAMILY ALLOWANCES FOR MEMBERS OF THE WORKER'S FAMILY RESIDING IN THE EC IS ALSO PROVIDED, EVEN IF THE FAMILY IS NOT RESIDENT IN THE COUNTRY OF EMPLOYMENT.

12. NON-DISCRIMINATION CLAUSE (ARAB BOYCOTT): THIS SENSITIVE QUESTION IS TREATED UNDER ARTICLE 33 - A STANDARD EXCEPTIONS CALUSE- HEALTH, MORALITY, PROTECTION OF PATENTS AND TRADEMARKS, ETC.- WHICH ALSO FORBIDS ITS USE FOR THE PURPOSE OF ARBITRARY DISCRIMINATION, AND ARTICLE 52, WHICH SPECIFICALLY FORBIDS DISCRIMINATION AMONG NATIONALS AND FIRMS OF THE TWO PARTIES. THE COMMISSION NEGOTIATOR LIMITED OFFICIAL USE

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WITH WHOM WE SPOKE ATTACHES CONSIDERABLE SIGNIFICANCE TO THE INCLUSION IN THE ACCORD OF THE PRINCIPLE OF NON-DISCRIMINATION BETWEEN " MEMBER STATES, THEIR NATIONALS OR THEIR COMPANIES OR FIRMS" (ARTICLE

52) AND NOTES THAT THE LOME CONVENTION, WHICH INCLUDES 3 ARAB STATES AS SIGNATORIES, PROVIDES NO SUCH COMPREHENSIVE CLAUSE PROTECTING COMMUNITY OPERATORS FROM DISCRIMINATION.

13. HOWEVER, THE AGREEMENT IS ALSO ACCOMPANIED BY AN EXCHANGE OF LETTERS IN WHICH THE MAGHREB STATES MAINTAIN THAT THESE CALUSES CANNOT ABROGATE THEIR LAWS CONCERNING THEIR ESSENTIAL SECURITY INTERESTS.

THE EXCHANGE OF LETTERS IS IDENTICAL TO THAT CONTAINED IN THE EXISTING EC/EGYPT AGREEMENT. THIS CAN BE INTERPRETED TO MEAN THAT THE TWO

SIDES AGREE TO DISAGREE. IN VIEW OF THE SENSITIVITY OF THIS  
ISSUE WE SUBMIT A ROUGH MISSION TRANSLATION OF THE  
SUBSTANCE OF THE MOROCCAN LETTER AS FOLLOWS:

BEGIN MISSION TRANSLATION:

DEAR MR. PRESIDENT:

I HAVE THE HONOR TO BRING TO YOUR ATTENTION THE FOLLOWING DECLARA-  
TION OF MY GOVERNMENT RELATIVE TO ARTICLES 33 AND 52 OF THE ACCORD.

THE KINGDOM OF MOROCCO WISHES TO MAKE CLEAR THAT IN APPLYING THE  
DISPOSITIONS OF ARTICLES 33 AND 52 OF THE AGREEMENT, IT ENGAGE-  
MENTS DO NOT REQUIRE IT TO ABROGATE THE LAWS AND REGULATIONS IN  
EFFECT TO THE EXTENT THAT THESE LAWS AND REGULATIONS REMAIN  
NECESSARY FOR THE PROTECTION OF ITS ESSENTIAL SECURITY INTERESTS.  
IT WILL ADMINISTER THE APPLICATION OF THESE LAWS AND REGULATIONS  
IN A MANNER TO INSURE CONFORMITY WITH THE DISPOSITION OF ARTICLE 50,  
PARAGRAPH 1 OF THE ACCORD (THE ARBITRATION CLAUSE).  
END TRANSLATION.

14. INSTITUTIONS: THE AGREEMENT PROVIDES FOR A  
COUNCIL OF COOPERATION AT MINISTERIAL OR AMBASSADORIAL LEVEL  
AND A COMMITTEE OF COOPERATION AT COUNSELOR LEVEL. THESE INSTI-  
TUTIONS WILL ACT AS THE "ANIMATORS" OF THE AGREEMENT(S) EXAMINING  
PROPOSALS FOR ECONOMIC COOPERATION, INVESTMENT TRADE PROBLEMS,  
ETC. IN ADDITION, THE ACCORD(S) CONTAIN A FRAMEWORK FOR COOPERA-  
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TION BETWEEN PARLIAMENTS WHERE APPLICABLE.  
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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TECHNICAL ASSISTANCE, NEGOTIATIONS, INTERGOVERNMENTAL COOPERATION, RELATIONS WITH INTERNATIONAL ORGS, GENERALIZED PREFERENCES (TARIFFS)  
**Control Number:** n/a  
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**Draft Date:** 14 JAN 1976  
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**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** morefirh  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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**Errors:** N/A  
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